A DECLARATION OF THE COMMITTEE OF ESTATES,

Concerning

Their Proceedings, in oppoſition to the late unlawfull Engagement againſt ENGLAND.

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A Declaration of the Committee of Estates concerning their proceedings in opposition to the late unlawfull Engagement against England.

THe manifold dangers to Religion, to the Kings Majesty, to our Laws and Liberties, and to the Peace of these Kingdomes are so manifest, that they cannot be hid from any, who will not wilfully shut their eyes against a clear light, and the remedies which we have taken in this extremity will, we doubt not, be judged by all men of common equity and understanding, to have been most necessary for preserving Religion from ruine, and our Selves from slavery and oppression; Yet to prevent misinformation and misconstructions, we have thought fit to publish a short narration of the Causes of our late undertaking to rise in Armes, of our proceedings by way of Treaty with those that joyned in Armes for the late engagement against *England*, and of our Resolutions for setling Religion, and the Peace of this distracted Kingdome, and strenthning the Union betwixt the Kingdomes, which are the best foundations of Honour and happinesse to the King, whose throne

we desire may be established in Righteousnesse.

When we look back upon some proceedings in our neighbour Nation, though there we see that the work of Reformation hath been much obstructed, and many things have been done of which we cannot approve, and wherewith God was highly displeased, yet we finde the Fountain and Spring of all our troubles, mainly to arise at home, from the craft and malice of our natives and Countreymen. For notwithstanding the Right Honourable Houses of the Parliament of *England*, had offered by their Commissioners to remove all differences which had arisen betwixt them & Us, & to do what ever was just and Honourable for the satisfaction of this Kingdome; And further, had declared their readinesse to joyn with this Kingdome in the Propositions agreed on by both Kingdomes presented to the King at *Hampton-Court*, for the making such further proceedings thereupon as should be thought fit for the speedy settlement of the Peace of both Kingdomes and preservation of the Union according to the Covenant and Treaties. And further, to give satisfaction in all things which should be judged necessary for the Peace of both Kingdomes, not intrinching upon the particular interest of the Kingdome and Priviledges of the Parliament of *England*, yet many of this Nation having entred into a sinfull Association, and wicked combination, did joyn together in Armes under the command of the Duke of *Hamilton*, for pursuance of an unlawfull Engagement against our Neighbour Nation of *England*, contrary to the ends of the solemn League and Covenant, the manifold admonitions and exhortations of all the faithfull Ministers of the Gospel, the warnings and Declarations

of

of the Commission of the Generall Assembly 1647. As likewise against the unanimous proceedings of the late Generall Assembly in this year 1648. against the Judgement and Protestations of many members of Parliament, who have been most constant in the Cause, and to preserve the Union betwixt the Kingdomes, and generally against the minds and judgements of all the wel-affected in the Kingdome. And further, brought over from *Ireland* some Regiments of the Scots Army to joyn with them in this Engagement, contrary to the Treaty betwixt the Kingdomes of the seventh of *July*, 1642. And having joyned in an unlawfull Association with the Malignants of *England*, did employ some of them to surprize and take the Garrisons of *Berwick* and *Carlile*, (and yet professed openly before the World they were ignorant who had done it) contrary to the large Treaty betwixt the Kingdomes, and the Treaty of the 29. of *November* 1643. And when by miserable and cruell oppression of the people of God in this Kingdome, they had gathered together a numerous Army, they took possession of the Garrisons of *Berwick* and *Carlile*, and in a Hostile manner entered into our Neighbour Nation, where the Lord of Hosts poured forth his Wrath and Indignation upon them, for their lies and hypocrisie, as was before threatned by many of the faithfull servants of God in this Kingdome.

While these men were invading *England*, the Earl of *Lanrick* and others engaged in the same designe, stayed at home to oppresse this Kingdome, and under a pretence of raising a Guard for the Prince, did begin a new Levy of Forces, whereby they might be able to send supply to their Army in *England* if need were, but principally

cipally to bear down the godly and weelaffected in this Kingdome, and force upon them unlawfull Bands and Oathes, which they deviſed to be Ingines and Snares to compell men to make Shipwrack of their conſciences, by joyning with all their wicked wayes, or in caſe they refuſed to take thoſe accurſed Oathes, and ſubſcribe their Bands, that then they might not onely be uncapable of all publick truſt, but be eſteemed and uſed as enemies to Religion, King and Kingdome, and ſo every way to oppreſſe all honeſt men in their perſons, Eſtates and Conſciences, as nothing was to be expected from their Government to theſe who deſired to fear the Lord, and adhere to their firſt Principles, but Slavery and ruin; for they having adjourned the Parliament till *March* 1650. Had aſſumed to themſelves an arbitrary Power, that in the mean time they might rule at their pleaſure, and make ſuch alterations in the Kingdome as they thought fit. Upon news of the defeat of their Army, they did give out Commiſſions to prime Incendiaries, and encouraged ſuch as were eminent and active in the Rebellion, under the conduct of *James Graham*, late Earl of *Montroſe* to riſe in Armes, and ſent directions to the Forces under the command of *George Monro*, which had invaded *England*, but were not preſent at the fight, and other Officers and Souldiers who eſcaped from it, to return to this Kingdome, that ſo by their conjunction with the Forces lately raiſed, they might have a new Army on foot to proſecute their former deſigne, and to tyrannize over this Kingdome, as is evident from their letters of the 28 of *Auguſt* ſent to the Earl of *Marſhall*, Vicount of *Dudhope*, *Clerke Regiſter*, and *George Monro* (ten dayes after the defeat of their Army in *England*) wherein

wherein speaking of the Engagement, they declare their Resolution to recruit their Regiments, and to hazard their Lives and Fortunes, and all that was deareſt unto them for carrying on againſt all oppoſition whatſoever that pious and loyall Service, and that they and many others of this Kingdom did intend not to live and out-live it: By all which, and many other their like proceedings expreſſed in the Declarations of the Generall Aſſembly and their Commiſsioners, it is ſufficiently evident that Religion hath not onely been endangered, but the whole work of Reformation in theſe Kingdoms for theſe ten years paſt hath been very near to be wholly overturned, our Laws and Liberties almoſt deſtroyed, Authority weakened, the perſon of the King put in hazard, and his reſtitution (which they pretended) rendred more difficult, and endeavours uſed to break the Union and peace betwixt the Kingdoms, and to continue (ſo far as was in their power) a laſting War betwixt this Kingdom and our neighbour Nation with whom we are joyned in Covenant.

This being the true eſtate of affairs, We did finde it moſt neceſſary for us to joyn in Armes together againſt theſe Covenant-breakers and their Adherents, who had invaded *England*, and were diſturbing the peace of this Kingdom (and who under a ſpecious pretence of ſeeking the Kings Honour, Freedom and Safety, were ſeeking their own Honour and baſe private ends, and have made the Kings condition harder then ever it was before) this courſe being the onely means which was left us whereby to endeavour the preſervation of Religion, our native Countrey, and the Peace and Union betwixt the Kingdoms, and our own conſciences

sciences being ready to condemn us if we should be still and suffer Religion to be ruined, *England* to be further provoked (by detaining their Garrisons) and this Kingdom to be enslaved and brought under the yoke of a perpetuall bondage.

When we had put our selves in a posture for our own defence neer *Edinburgh*, the Earl of *Crawford*, the Earl of *Lanerk*, *George Monro*, and other Commanders of the Forces joyned with them, having matched to *Innereske*, sent unto us some Articles upon which they desired to Treat, for removing all differences betwixt us; but these Demands being very unreasonable and inconsistent with Religion, the Covenant and Treaties betwixt the Kingdoms, We refused to admit them to be the subject of a Treaty; yet were content if they had any other thing to propound which might conduce to the setling of Truth and Peace according to the Covenant, to appoint some from us to Treat with the like number authorized by them, at any place equally distant from both Armies. Whereupon they professed a readinesse to have all differences ended by a Treaty that an intestine War might be prevented; but they assigned so short dyets for us to return our Answers about the necessary circumstances to be agreed on before a Treaty could begin, as the time was elapsed before we could be well conveened; and then they took the advantage of marching away, whilest we continued in our Quarters in expectation of a Treaty, by which means they gained the passe at *Sterling*, and surprized our forces there, killing some, and taking others prisoners when they were in security, being advertised that there was a Treaty betwixt us: All this notwithstanding, so desirous

from were we of the peace of this almost ruined Kingdom, as passing over all the provocations given unto us; We readily entertained all proffers to Treat: And upon the 14. of *September*, Commissioners on both sides met at *Woodside*, together with some Ministers and Elders from the Commission of the Kirk, but after three dayes debate, that Treaty (during which their Army was grievously plundering the Countrey) produced little else but delays, they refusing to accept of any conditions without rewards for their service, Liberty to transport the Irish Forces in a body to *Ireland*, security for their Lives, Estates, Honours, Fortunes and places, and assurance that none who had been accessory to the late Engagement should be questioned either by us, or by the Kingdom of *England* for any thing done by them in relation thereunto, which was impossible for us to grant without involving our selves in the guilt of the Engagement, and giving occasion of quarrell against us to our neighbour Nation, in whose names we could promise nothing without their advice and consent. And here we cannot but remark, that these Lords and others, who in Parliament and otherwise, pretended so great a zeal for his Majesties Honour, Freedom and safety, yet in all their demands to us in this Treaty, they never made the least desire of any thing for the King, but were ready to close an agreement with us when ever they could get satisfaction in what concerned their own Honour, Freedom and Interest.

So soon as we understood that the Forces of the Parliament of *England* were come to the Borders, for pursuit of the common Enemy, and reducing the Garrisons of *Berwick* and *Carlile*, We wrote a Letter from

Knight to the Commander in chief of these Forces, and sent two from us with instructions to acquaint him with the estate of our affairs, particularly our proceedings in the Treaty, and to assure them that we would contribute our utmost endeavours for the restitution of the Towns of *Berwick* and *Carlile* to the Parliament of *England* to whom they do of right belong: In return whereunto we received from Lieut. Generall CROMWELLS Letter to this purpose, That upon the defeat of the Forces of the Duke of *Hamiltoun* they had received in command to prosecute the Victory untill the Enemy were put out of a condition or hope of growing into a new Army, and the Garrisons of *Berwick* and *Carlile* were reduced, in pursuance of which commands they had resolved to advance into *Scotland* with their Army for obtaining their Garrisons, and that the common Enemy might be the sooner brought to a submission to reasonable conditions, withall ingaging themselves that so soon as they should know from us that the Enemy should yeeld to these things we had proposed to them, and the Garrisons of *Berwick* and *Carlile* were delivered, they should forthwith depart out of this Kingdom: after receipt of this Letter, We sent some of our number with power and instructions to do their utmost endeavour for obtaining the Towns of *Berwick* and *Carlile* to be surrendred to him for the use of the Honourable Houses of the Parliament of *England*, and to represent our earnest desire and firme resolution to preserve inviolable the Union betwixt the Kingdoms according to the Covenant and Treaties, and since they had resolved in obedience to the Commands laid upon them, to send Forces into this Kingdom for pursuing the common

Enemy

Enemy; therefore to desire that these which should be sent, might be such as would give no offence or scandall to the Ministrie and wel-affected in this Kingdome.

Upon the 18. of *September* some propositions were sent unto us from those at *Sterling*, to which we returned an Answer upon the 20. And after a new meeting at *Kirkliston* with Commissioners from them, Articles of agreement were drawen up and subscribed by the Commissioners on both sides, which are now published in Print: In all which proceedings we have studyed to set before our eyes the Honour of God, and the good of Religion, the preservation of our Laws and Liberties, and of the Union betwixt the Kingdomes. And to the end it may further appear to this Kingdome and to all the World, that no sinister end or worldly design for self-interest, hath stirred us up to this course, we do declare.

First of all, that we have both matter of deep humiliation before God, and thanksgiving to him when we consider his gratious dispensation towards us, in preserving a remnant from following the evil courses of the time, and that he was pleased so soon after a great defection and backsliding in the Land, to put us into a condition to resist the Force and fury of our enemies, whom neither Christian duty in so clear a Sunshine of the Gospel, nor naturall affection to their native Country, could restrain from horrid impieties and intollerable oppressions. And we do freely acknowledge that it had been just with the Lord, to suffer us to lie still under that Yoke of Bondage, which we had wreathed upon our necks with our own hands, by compliance with Malignants and Malignant courses, not trusting the

Lord with his own work, and resting on his strength; but following the rules of carnall policy, when ever we were brought into straights. It is the desire of our Souls that for the future we may amend, and it shall be be our constant studie with Gods assistance, to avoid the rocks on which we were ready to split, that we may neither upon the one hand put confidence in the Arm of flesh, and other worldly advantages when things are prosperous, nor upon the other, comply with the enemies of the cause when we are low, but in all estates and conditions, to put our trust in God Almighty the Lord of Hosts, who also is onely wise to give Counsell.

Secondly, that whatsoever Power God hath already, or shall hereafter put into our hands, we shall improve it for setling and propagating Religion, and promoting the work of Reformation according to the Covenant, and in particular, to have the Liberties of the Kirk ratified, which have been many wayes encroached upon and violated, as is particularly instanced in the Declaration of the Generall Assembly.

Thirdly, to vindicate and establish the liberty and property of the Subjects, who have been most grivously oppressed in their Consciences, Persons and Estates.

Fourthly, that we shall endeavour the Kings Majesties restitution to the exercise of his Royall Power, as soon as he shall give security for setling Religion in the manner expressed in the desires of the late Commission of the Kirk, and shall give satisfaction in such other things as shall be found necessary for the Peace and safety of the Kingdomes.

Fifthly, That the late unlawfull Engagement against our Neighbour Nation of *England*, with whom we are joyned

joyned in League and Covenant may be disclaimed, and disavowed by the Supream Authority of this Kingdome, it being most destructive to Religion, and to the Peace and Happinesse of these Kingdomes.

Sixthly, To strengthen and confirm the Peace and Union between the Kingdomes, which the Malignant Party hath so much endeavoured to breake and dissolve.

Seventhly, That we shall endeavour to Purge out of all the Judicatories in the Land, Malignancy and Prophaneneſſe, and use all other good means that Justice may be equally and impartially administred to all the Subjects in the Kingdome, and that a more effectuall course may be taken throughout the whole Kingdome, then heretofore, for punishing and suppressing all Prophaneneſſe, Malignancy and Impiety.

Eighthly, All means having been used with great industry, to get Malignants chosen to be Commissioners to the last Parliament, and to prepossesse mens minds when they came to the Parliament, from which as a Fountain have issued all our troubles and distractions. That we will faithfully endeavour to have a free Parliament, consisting of such Persons as have not been accessory to and furtherers of the late Engagement, for which end, we do again hereby require that in the election of Commissioners from Burghs and Shires to the Parliament, the rules and directions set down in our Acts of the 22 of *September* last, and the fourth of this instant Moneth of *October*, may be punctually observed througout the Kingdome.

And we call the searcher of hearts to record that these are our reall and true intentions, and that we do not,

not, nor shall by the Grace of God pursue any private ends or interests of our own. And we trust, the Lord our God who knoweth the sincerity of our resolutions, who hath also had mercy upon us, and hath begunne to do so graciously for us, will assist us herein untill his work shall be accomplished.

And now last of all, since it is agreed upon in the Treaty, that all questions and differences about Religion, be referred to the determination of the Generall Assembly or their Commissioners, and that all Civill questions and differences be referred to the determiniation of a Parliament which is to sit down before the Tenth of *January* next; We do exhort and require all [redacted] gdome, to live Peaceable and quietly, and to wait patiently for the determination aforesaid, but in case any shall not rest satisfied with, or shall resile from the said agreement, and shall continue, or rise in Arms, or Levie any Forces without warrant from the Committee of Estates as it is now constituted, consisting of Persons not accessory to the late Engagement. We do declare that they shall be esteemed enemies to Religion, the King and Kingdome, and punished as wilfull disturbers of the Peace of the Kingdome.

M. Tho. Henderson.

FINIS.